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REMARKS

The Applicant would like to thank Examiner Miller for the analysis contained in the Examination Report.

Comments concerning the two foreign Chinese language references, made of record in the above identified application this past July, will follow shortly so that the Examiner may substantively consider that prior art during further prosecution of this case.

The Applicant notes that claims 12, 13, 17 and 18 are withdrawn from further consideration. Please note that the Applicant will request reinstatement of all of the withdrawn claims in the event that a generic claim is eventually allowed.

Claim 15 is objected to for the reasons noted in the official action. The above requested claim amendments are believed to overcome all of the raised informalities concerning the claims.

Next, the Examiner rejects claims 19 and 20 under U.S.C. 112, second paragraph alleging that they are indefinite, for failing to particularly point out and distinctly claim the subject-matter. Additionally, the Examiner states that claim 19 appears redundant in view of claim 15. In response, the Applicant amends claim 19 to further recite: "The exit sign as defined in claim 15, wherein the at least one inlaid cavity in the sign plate extends into the sign plate toward the second face a distance substantially midway between the first face and the second face of the sign plate." Claim 20 is now withdrawn. The Applicant, therefore, respectfully submits that no further amendment to the claims is needed to overcome the rejection.

Claims 10, 15, 19, and 20 are then rejected, under 35 U.S.C. § 102(e), as being anticipated by Robinson et al. '010 (U.S. Patent No. 6,843,010). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

The Applicant respectfully disagrees with the Examiner. Robinson et al. '010 discloses a sign with photo-luminescent and current-generated lighting which, in its simplest form, does not include etched characters. The etched characters, when used, are mirror images of the photo-luminescent characters, which may be placed proximate the characters (the characters may be placed on a second panel). Alternatively, an epoxy resin may be applied to the etched characters. As would be known to one skilled

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in the art, etching does not provide a cavity, hence the epoxy resin is "applied" and is not disclosed as being a filler for the cavity. Nonetheless, the Applicant amended the claims, without prejudice, to recite "at least one inlaid cavity in the body being located on the first face and defining a real image of one of alpha-numeric indicia or graphic indicia." Support for this amendment can be found in the Figures where real images are shown. Further, the description states, for example, at paragraph 21, "[l]uminescent epoxy 28 fills cavity 26....Radiant light 16 from light source 14 shines through transparent portion 30 striking luminescent epoxy, charging and illuminating the indicia." As would be known to one skilled in the art, a real image is one that it not a mirror image, and only a real image produced by at least one cavity would permit the luminescent epoxy filling to illuminate indicia such as EXIT as a real image. In distinct contrast, Robinson et al. '010 discloses "one or more etched characters 22 which are mirror images of the photo-luminescent character(s) 16."

In addition to the above, new dependent claim 24 is being enter and this claims recites as follows: "The luminescent signage component of claim 1 further comprising a reflective coating on the base of the cavity." Support for this claim is found, for example, in the application as filed at paragraph 25, where it is stated that "[b]ody 20 is adapted with a reflective coating 34 positioned at the base of the cavity, behind luminescent epoxy 28." As would be known to one skilled in the art, only a cavity defining a non-mirror image of an indicia could have a reflective coating at the base of the cavity and behind the luminescent epoxy in order to provide an illuminated real image of the indicia. The Applicant therefore respectfully submits that no further amendment to the claim is needed in order to overcome the raised rejection in view of Robinson et al. '010.

With respect to claim 15, the Applicant notes that Robinson et al. '010 discloses a sign with photo-luminescent and current-generated lighting, which in its simplest form does not include etched characters. The etched characters, when used, are mirror images of the photo-luminescent characters, which may be placed proximate the characters (the characters may be placed on a second panel). Alternatively, an epoxy resin may be applied to the etched characters. Further, as would be known to one skilled in the art, etching does not provide a cavity, hence the epoxy resin is "applied" and is not disclosed as being a filler for the cavity. Nonetheless, the Applicant

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amended the claims, without prejudice, to recite "at least one inlaid cavity in the body being located on the first face and defining a real image of letters spelling the word EXIT". The Applicant therefore respectfully submits that no further amendment to the claim is needed to overcome the rejection.

With respect to claim 19, the Applicant respectfully submits that the amendment to claim 15 renders the objection to claim 19 moot. Nonetheless, the Applicant amended claim 19 as described above. The Applicant therefore respectfully submits that no further amendment to the claim is needed to overcome the rejection.

With respect to claim 20, this claim is now withdrawn from further consideration thereby rendering the rejection moot.

Claims 21-23 are then rejected, under 35 U.S.C. § 102(b), as being anticipated Woog `222 (U.S. Patent No. 5,607,222). The Applicant acknowledges and respectfully traverses the raised anticipatory rejection in view of the following remarks.

With regard to claim 21 and dependent claim 22, the Applicant respectfully submits that Woog `222 does not disclose or contemplate the claimed technology. The technology of Woog `222 is directed to a "display that bears at least one inscription formed of a non-radioactive luminescent coating". The Examiner contends that "inscription" is a cavity. The Applicant respectfully submits that the dictionary meaning of inscription is "to mark (a surface) with words, characters, etc.,". In the context of the Woog `222 technology, this was the intended meaning of the word - the technology is directed to "a display that bears at least one inscription formed of a non-radioactive luminescent coating". Hence, it is respectfully submitted that Woog `222 does not disclose or contemplate at least one cavity, nor does it disclose or contemplate a cavity that extends substantially midway between the exterior facing surface and the interior facing surface, nor does it disclose or contemplate that at least one cavity defines at least one alpha-numeric indicia. Further, Woog `222 does not disclose the use of luminescent epoxy.

With regard to the Examiner's rejection of claim 23, the Applicant respectfully submits that Woog `222 does not disclose or contemplate the claimed technology. Woog `222 does not disclose or contemplate four cavities, nor does it disclose or contemplate cavities that extends substantially midway between the exterior facing surface and the interior facing surface, nor does it disclose or contemplate that the

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cavities define the letters "E", "X", "I" and "T." Further, Woog '222 does not disclose the use of luminescent epoxy. Accordingly, the Applicant respectfully submits that no further amendments are needed in order to overcome the Examiner's rejection.

New claim 25 is supported by pending claim 1, where it is disclosed that the constant light source backlights the at least one inlaid cavity. Other locations of the lighting can be seen in Figures 2a, 2b and 3b, for example, thereby supporting a constant light source lighting the at least one inlaid cavity.

In view of the foregoing amendments, it is respectfully submitted that the present application is now in a condition for allowance. The Applicant, therefore, requests withdrawal of all of the raised rejections and early issuance of a Notice of Allowance.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Robinson et al. '010 and/or Woog '222 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

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In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,


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